

See attached

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Freudenberg Filtration Technologies, LP,
Carl Freudenberg KG,

Civil No. 10-cv-301 SRN/JJK

Plaintiffs,

v.

ORDER OF DISMISSAL

General Automotive Company,
OE Source LC,

Defendants.

Brent G. Seitz and Robert J. Lenihan, Harness Dickey & Pierce PLC, 5445 Corporate Drive, Suite 200, Troy, MI and Michael A. Lindsay, Dorsey & Whitney LLP, 50 South Sixth Street, Suite 1500, Minneapolis, MN, counsel for Plaintiff.

Brian W. Hayes, James R. Hietala, Jr., Carlson Caspers Vandenburg & Lindquist, 225 South Sixth Street, Suite 3200, Minneapolis, MN and Brook B. Bond, Jeffrey C. Parry, John N. Zarian, Zarian Midgley & Johnson, PLLC, 960 Broadway, Suite 250, Boise, ID, counsel for Defendants General Automotive Company and OE Source LC.

Based upon the Joint Motions to Dismiss filed on March 21, 2011 and March 22, 2011 [Docs. 60 and 62],

IT IS HEREBY ORDERED that the Joint Motion to Dismiss is granted. All claims between Plaintiffs and Defendants General Automotive Company and OE Source, L.C. are dismissed with prejudice and with each party bearing its own fees and costs.


DATED: March 23, 2011

s/ Susan Richard Nelson
Susan Richard Nelson
United States District Court Judge

Trademark

1,753,783

2,028,121

MARK	REG./ SERIAL NO.	DATE OF REG./APP.	GOODS
MICRONAIR (stylized)	1,753,783	2-23-1993	Filter units made of nonwoven fabrics in a solid frame or in the form of cartridges, exclusively for the filtration of air in air conditioners
MICRONAIR	2,028,121	1-7-1997	Filter media, particularly nonwoven fabric material, for use in automobile air filters
 MICRONAIR & Design (Hockey Stick)	77/923,711	1-29-2010	Filter units made of nonwoven fabrics in a solid frame or in the form of cartridges, exclusively for the filtration of air in air conditioners

Freudenberg's federal registrations and applications are collectively referred to as Freudenberg's "MICRONAIR Registered Marks."

19. The MICRONAIR Registered Marks are in use, are valid and subsisting, incontestable, and in full force and effect.

20. Copies of the Certificates of Registration and the Application for Registration for the MICRONAIR Registered Marks are attached hereto as **Exhibit 1**.

21. Freudenberg's "MICRONAIR Common Law Marks" and "MICRONAIR Registered Marks" are collectively referred to as Freudenberg's "MICRONAIR Marks."

22. Freudenberg has expended considerable time, money, and effort to create and maintain the goodwill associated with products bearing its MICRONAIR Marks.

23. Freudenberg has invested millions of dollars in advertising and promotion of its air filters under its MICRONAIR Marks in the United States and elsewhere.

24. Freudenberg's advertising and promotion has included, but has not been limited to, trade magazines, trade shows, internet, television, radio, and print media.